

## Survey Respondent Information Sheet

**Title of Project: Private Antitrust Enforcement: Facilitating Injured Parties' Access to Legal Remedies in Competition Law Cases**

**Researcher name: Dr Mihail Danov, University of Exeter, UK**

### **Brief summary:**

*This is an empirical research project which seeks to consider how the effectiveness and efficiency of the current antitrust damages regime in the UK should be enhanced with a view to improving access to justice in competition law cases in English and Welsh courts, and the UK Competition Appeal Tribunal. New empirical data will be generated to provide information about the factors driving settlements in the past as well as about the factors impeding settlements (in cases which are still pending). The newly collected data will be analysed, in order to capture the static and dynamic aspects of the existing enforcement pattern, identifying any procedural deficiencies, which would need to be addressed with a view to facilitating the injured parties' timely access to effective legal remedies.*

*The project is carried out by Dr Mihail Danov from the University of Exeter. He is supported by an Advisory Board which involves Jon Lawrence (Brick Court Chambers), Nicholas Frey (Freshfields Bruckhaus Deringer), Omar Shah (Morgan, Lewis & Bockius) and Prof Barry Rodger (University of Strathclyde).*

### **Details of Project**

*The overarching research objective is for this pilot study to promote wider discussions which are central to the advancement of a procedural regime which enables adjudicators to deal efficiently and robustly with the merits of competition law cases. The newly generated data will enable us to demonstrate that the procedural rules are central to improving access to justice in cross-border competition law cases. On this basis, the project shall start considering whether addressing and reducing the existing procedural deficiencies should enable the UK to devise an effective and efficient antitrust damages regime which may be applied in cross-border cases.*

*The pilot study is based on the hypothesis that existing procedural deficiencies inflate litigation costs, which in turn adversely affect private parties' access to justice in cross-border competition law cases. The research methodology for this pilot study is developed around litigants' strategies. For the purposes of this pilot study, it is assumed that litigants' strategies can influence the outcome of a competition law case.*

*The results of this study are to be published in academic papers which will be presented at various academic conferences. The research data will be archived at the UK Data Archive < <http://www.data-archive.ac.uk/>, in order to allow for other researchers to use it as well.*

*In the short-term, we aim to set up an AHRC Research Network, in order to promote knowledge exchange and engagement activities, involving a range of potential beneficiaries (policy-makers, solicitors, barristers and academics).*

*In the long-term, the pilot study will set the scene for a collaborative empirical project which is to ascertain how the effectiveness and efficiency of the current antitrust damages regime could be enhanced by improving access to justice in cross-border cases in the UK.*

### **Data Protection Notice**

*The information you provide will be used for research purposes. The anonymised research data will be archived at the UK Data Archive < <http://www.data-archive.ac.uk/> >, in order to allow for other researchers to use it as well.*

*Survey questionnaires are not collecting any personal identifiers, and if provided such personal identifiers are to be removed from the data. In view of the research data anonymisation, **it would not possible for survey respondents - who had returned the completed survey questionnaire - to withdraw their participation and data.***

### **Consent and Research Data Sharing**

*In order to express your consent to take part in this study as well as to express your consent for the anonymised research data to be archived at the UK Data Archive, **please do sign and return the enclosed Consent Form along with the completed Questionnaire/s to: Dr Mihail Danov, Associate Professor, University of Exeter, School of Law, Amory Building, Rennes Drive, Exeter, EX4 4RJ or by email to: [M.Danov@exeter.ac.uk](mailto:M.Danov@exeter.ac.uk).***

### **Further information and contact details**

*For further information about this project and the relevant research data, please contact:*

Dr Mihail Danov, Associate Professor, University of Exeter, School of Law, Amory Building, Rennes Drive, Exeter, EX4 4RJ. Telephone: +44(0)1392723162. Email: [M.Danov@exeter.ac.uk](mailto:M.Danov@exeter.ac.uk).

*If you have concerns/questions about the research you would like to discuss with someone else at the University, please contact:*

Professor Richard Moorhead, Research Ethics Officer, University of Exeter, School of Law, Amory Building, Rennes Drive, Exeter, EX4 4RJ. Telephone: +44(0)1392727063. Email: [R.Moorhead@exeter.ac.uk](mailto:R.Moorhead@exeter.ac.uk).

Thank you for considering participating in this survey. I look forward to hearing from you.